

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN

In re:	)	
CASSANDRA TATE and	)	Case No. 14-34334-mdm
CLAUDE E. DANIELS,	)	Chapter 13
	)	
Debtors.	)	

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**NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN**

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Cassandra Tate and Claude Daniels have filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court  
517 E. Wisconsin Avenue, Room 126  
Milwaukee, WI 53202-4581

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

Nathan E. DeLadurantey  
DeLadurantey Law Office, LLC  
735 W. Wisconsin Avenue, Suite 720  
Milwaukee, WI 53233

If you or your attorney does not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

## REQUEST TO MODIFY CHAPTER 13 PLAN

1. The Proponent of this modification is:
    - A.   X   the Debtor;
    - B.        the Chapter 13 Trustee (post-confirmation modifications only);
    - C.        the holder of an unsecured claim (post-confirmation only).
  2. This is a request to modify a Chapter 13 Plan (Select A. or B.):
    - A.        post-confirmation;
    - B.   X   pre-confirmation (Select i. or ii.);
      - i.        Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (LBR 3015(b)); or
      - ii.   X   Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors affected are: all creditors.
  3. The Proponent wishes to modify the Chapter 13 Plan to do the following: Clarify treatment of claim #20, claim #12 secured claims; surrender 1998 Dodge Intrepid.
  4. The reason(s) for the modification is/are: Clarity.
  5. Select A. or B.
    - A.        The Chapter 13 Plan confirmed or last modified on    is modified as follows:
    - B.   X   The unconfirmed Chapter 13 Plan dated November 26, 2014, is modified as follows:
- 5. Priority Claims.**
- (A). Domestic Support Obligations (DSO).**

(a) DSO Creditor Name and Address	(b) Estimated Arrearage Claim	(c) Total Paid Through Plan
<b>WI Department of Children and Families 507(a)(1)(B)</b>	\$17,550.17	So long as the debtor applies all of the projected disposable income to make payments under the plan, this DSO need not be paid in full. Any portion of the DSO not paid by the plan is nondischargeable. The DSO is entitled to priority treatment under § 507(a)(1)(B) and shall be paid in full before general unsecured creditors are paid.

**6(B)(ii)(a). Secured Claims – Full Payment of Debt Required**

(a) Creditor	(b) Collateral	(c) Purchase Date	(d) Claim Amount	(e) Interest Rate	(f) Estimated Monthly Payment	(g) Estimated Total Paid Through Plan
Chrysler Capital	2013 Dodge Avenger	7/2013	\$19,843.00	%5.00	%pro-rata	\$21,830.05
Get It Now	Washer and Dryer purchased from Get it Now	9/2014	\$2,467.00	%4.25	%pro-rata	\$2,675.12
<b>Get it Now</b>	<b>Television</b>	<b>2/2014</b>	<b>\$2,404.00</b>	<b>%4.25</b>	<b>%pro-rata</b>	<b>\$2,673.00</b>

**6(A)(ii)(b). Secured Claims – Replacement Value**

(a) Creditor	(b) Collateral	(c) Purchase Date	(d) Replacement Value/Debt	(e) Interest Rate	(f) Estimated Monthly Payment	(g) Estimated Total Paid Through Plan
Get It Now	Couch, Loveseat and Chair	3/2014	Value\$1,500 Debt: \$2,347	%4.25	%pro-rata	\$1,626.57
Get It Now	Two acer laptops	11/18/2013	Value: \$600 Debt: \$1,431	%4.25	%pro-rata	\$650.60

**6(C). Surrender of Collateral.** This Plan shall serve as notice to creditor(s) of Debtor's intent to surrender the following collateral. Any secured claim filed by a secured lien holder whose collateral is surrendered at or before confirmation will have their secured claim treated as satisfied in full by the surrender of the collateral.

(a) Creditor	(b) Collateral to be surrendered
Get It Now	xbox
<b>WI Auto Title Loans</b>	<b>1998 Dodge Intrepid</b>

**7. Unsecured Claims**

**Creditors with allowed general unsecured claims shall receive not less than \$0.00 or 0%.**

All remaining terms and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

**6. BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.**

**CERTIFICATION**

I, Nathan E. DeLadurantey, attorney for debtors, Cassandra Tate and Claude Daniels, certify that I have reviewed the modification proposed above with the debtors, and that the debtors have authorized me to file it with the court.

/s/ Nathan E. DeLadurantey

\_\_\_\_\_  
Counsel for the debtors

April 2, 2015

\_\_\_\_\_  
Date

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated: April 2, 2015.

DeLadurantey Law Office, LLC  
Attorneys for Debtor

/s/

\_\_\_\_\_  
By: Nathan E. DeLadurantey  
State Bar No. 1063937

Drafted by:  
Daniel T. Beasley  
SBN 1092029  
735 W Wisconsin Ave., Suite 720  
Milwaukee, WI 53233  
(414) 377-0515; Fax (414) 755-0860  
dan@delaw-law.com

A copy of the foregoing filed electronically on April 2, 2015 with:

Clerk, U.S. Bankruptcy Court  
517 East Wisconsin Avenue  
Milwaukee, WI 53202

Copies of the foregoing mailed or sent electronically if the party named accepts electronic service on April 2, 2015 to:

Office of the U.S. Trustee  
517 East Wisconsin Avenue, #430  
Milwaukee, WI 53202

Mary B. Grossman  
PO Box 510920  
Milwaukee, WI 53203

See attached creditor matrix

/s/Daniel T. Beasley  
(Electronically filed by)